

Present: Chuck Bolton, Melanie Gordon, Chris Hague, Ruth Jones, George Malette, Ian McSweeney

Chairman Chuck Bolton opened the meeting at 5:05 PM. Minutes of the July 17, 2007, meeting were reviewed and approved with the following amendment: The 7<sup>th</sup> paragraph to read, "Land-owners would be encouraged to participate in shaping whatever the committee recommends that the Planning Board put on the next warrant..."

Bolton handed out Planning Board minutes from July 12, 2007, when the AC presented its mission. He asked the committee to peruse these minutes at home since they contained direction from the Planning Board. Our charge is in the last paragraph.

The committee then looked at draft language of a proposed zoning change to be added to the **cluster development ordinance**. Bolton wrote language offering a density bonus in return for preserving farmland. The bonus would be contingent upon a bona fide yield plan and specific soil types, and would only apply to buildable farmland. He demonstrated how this would work by pointing out on a tax map of his own land how non-buildable land would be disqualified.

Chris Hague asked if the town has a definition of *yield plan*. This is in Article 30.4.2 (Rural Conservation Overlay District). In the cluster housing ordinance the language refers to prime soils and states "such soils shall be preserved as open space to the greatest extent possible." Discussion followed as to whether this language would really work without soils conservation overlay. The language of Bolton's proposed change names a Weare Agriculture Commission, which is another issue that needs action.

Melanie Gordon said that clustering and offering incentives are not the way to preserve open space. Rather, the homeowner/ farmer needs an "out" to not sell and develop. If Weare is to be "farm friendly and relaxed," a bona fide yield plan is not friendly.

In response Ian McSweeney said that the yield plan applies when a builder is involved and wants to develop. The town should have another arm that encourages farmland. George Malette addressed this, saying the Conservation Commission is doing a natural resource inventory. There will be a conservation plan in this town. The AC should be involved in the plan so that we assure the preservation of farmland.

McSweeney pointed out that cluster development allows larger acreage parcels to remain undeveloped but doesn't allow contiguous open farmland. There is federal money available for preservation of parcels greater than ten acres of contiguous open farmland.

The response to Gordon's question, "Can you tell the developer not to build on prime soils?" was no.

In summary, wording to address the formation of an Agriculture Commission must go with this proposal. After consulting with the Conservation Commission the AC will make a recommendation to the Planning Board, which makes the final determination about preserving farmland. The members agreed that a yield plan should determine the density bonus. The density bonus should be based upon preservation of the greatest contiguous parcel of prime soil. Gordon added to preservation of prime soil the preservation of soils of statewide and local importance. Bolton said we

would need to work on wording. Hague cited the Increased Density Option in the Lyme (N.H.) Zoning Ordinance, March 2007, to which Bolton responded that the language is for incentive only, and has no legal enforcement. An additional incentive to the developer would be to think of how a yield plan would enhance an Increased Density Option. The issue will be reviewed at the next regular meeting.

McSweeney recommended the innovative land use tools on the Dept. of Environmental Services website. He said the Conservation Subdivision section addresses soils, wetlands, steep slopes and farmland soils.

**Easement language** was briefly discussed. Malette stated we need to look at the town model. McSweeney recommended information from the Federal Farmland Bureau. The topic will be revisited.

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**Mapping** has progressed to the point where it is appropriate to determine how many of the owners of prime soils and soils of statewide or local importance should be contacted if a letter is sent. As an outreach tool, Gordon designed a brochure giving the AC mission and other information, which she passed around the table. Input can be emailed to her after looking it over. Bolton felt that outreach is an important function at the time of any hearings on zoning matters. The committee discussed immediate outreach, if possible. Due to the cost of mailing, some targeting criteria will need to be established. Owners of twenty acres or ten acres of prime soils could be targeted, or other criteria used. Gordon was asked to bring the number of landowners to the committee.

**Language for the formation of an Agriculture Commission** was handed out. Hague suggested that this be considered over time, not just at the meeting. Malette suggested adding language to provide for alternates. Another idea was to make the commission as large as seven members, largely those who are actively farming. Five members and five alternates was the final suggestion for size. Once established, the Agriculture Commission would make recommendations for appointment of new members to the Board of Selectmen. The committee agreed that "the majority of the Commission be individuals who make their income through agriculture or otherwise engage in agricultural activities." More challenging was language to prevent the appointment of two or more members from the same town board or commission to the Agriculture Commission, thereby giving one other board or commission undue influence. Such language might say: "The Commission shall include no more than one member concurrently serving on an elected or appointed town board or commission." Language will come up at the next meeting, since an October deadline for submission to the Planning Board will be observed.

Malette gave an overview of the **Heritage Commission**. It was approved by the voters but the Commission has not officially formed. It can purchase property, and can connect with an Agricultural Commission to preserve farmland.

Hague brought **Right to Farm** language gathered from several models. The language conflicts with existing town regulations, so the committee discussed how to handle this situation. Malette will look at allowed uses within each zone to see what conflicts exist. The proposed Disclosure Section will require changes. Members were asked to review the handout for the next meeting.

A motion to adjourn passed at 7:20 PM. The next meeting is at 5 PM August 21, 2007 in the library.

Respectfully submitted,  
Christine Hague